

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1295 OF 2020

Shivaji Baburao Mankoli .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 21ST JANUARY, 2020.

FINAL ORDER :

. It submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary posts. The proposal has been submitted for the validation to the Committee on 16.08.2013, well within the time as contemplated under the Circular dated 30.07.2013.

3. As the impugned action is without notice to petitioners, we quash and set aside the impugned action.

4. In case, respondents want to take action against petitioner

of placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner giving opportunity to show cause. In that event, petitioner can file reply and bring all the relevant facts to the notice of the respondent-Committee.

5. The Committee shall decide the validation proceeding expeditiously and preferably within a period of three six (06) months from the date of appearance of the petitioner.

6. The petitioners shall appear before the Committee on 06.02.2020.

7. The Writ Petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Jan. 20